

REMARKS

Independent claims 1, 13 and 49 have been amended to recite, in substance, a package comprising a header wall having a slit that extends from an elevation higher than the slider top to an elevation lower than the slider bottom. A slit having the foregoing relationship to the slider is not shown in any of the cited prior art references.

In ¶ 5 of the Office Action, claims 1, 3-11, 13-22, 49, 52, 54 and 55 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Strand et al. (US 6,360,513) in view of Keller (US 3,255,869) or Hultberg (US 3,545,668). The Applicants traverse this ground of rejection for the following reasons.

Keller and Hultberg each disclose a line of weakness formed by a series of slits. The Examiner asserts that it would have been obvious in view of Keller or Hultberg to form the line of weakness 13 in Strand as a series of slits. However, Keller and Hultberg both teach that the plurality of slits are substantially equal in length, as seen in their respective drawings. None of the three references teaches having a slit that extends from an elevation higher than the top of the slider to an elevation lower than the bottom of the slider. Even if we assume that it would be obvious to make the line of weakness in Strand by forming a series of slits, there is no suggestion in Strand, Keller or Hultberg that one of those slits extends from an elevation higher than the top of the slider to an elevation lower than the bottom of the slider. Accordingly, the Applicants

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respectfully submit that the obviousness rejection based on Strand in view of Keller or Hultberg has been overcome by the amendments to Applicant's independent claims.

The Applicants submit that this application is now in condition for allowance. Reconsideration of the application and allowance of claims 1, 3-11, 13-22, 49, 52, 54 and 55 are hereby requested. Since it is believed that generic claims are now allowable, examination and allowance of claims 12, 23, 51 and 53 are also requested, which were previously withdrawn from further consideration.

Respectfully submitted,

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Date



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CERTIFICATE OF MAILING

The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below.

May 31, 2005

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